

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In Re:)
)
)
Anthony Wallace) Chapter 13
) 15-27689
Debtor) Judge Doyle
)

NOTICE OF MOTION

TO:

Tom Vaughn, Chapter 13 Standing Trustee, via CM/ECF
NationStar Mortgage, %Codilis & Associates, via CM/ECF

Via US Mail:

NationStar Mortgage, Bankruptcy Dept, POBox 619096, Dallas, TX 75261-9741
Anthony Wallace, 18034 Ravisloe Terrace, Country Club Hills, IL 60478-5137

PLEASE TAKE NOTICE THAT on **Tuesday, May17, 2016 at 9:30am**, or as soon thereafter as counsel may be heard, I shall appear before the Honorable Carol A Doyer any Judge sitting instead in Courtroom 742 in the Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, IL and present the attached Motion to Determine Final Cure In Accordance With Rule 3002.1(h) and Plan Section E5.

/s/ Scott J Kofkin

Scott J. Kofkin
Attorney for the Debtor
675 E Irving Park Rd, Ste 104
Roselle, Illinois 60172-2348
630-539-4600
skofkin@sbcglobal.net

CERTIFICATE OF SERVICE

I, Scott J. Kofkin, an attorney, certify that a copy of this notice and attached motion was served through the Court's CM/ECF system to those so identified above, and mailed to all other parties before 5:00 pm on Monday, May 09, 2016.

/s/ Scott J. Kofkin

**IN THE UNITED STATES BANKRUPTCY COURT
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In Re:)
Anthony Wallace) Chapter 13
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**MOTION TO DETERMINE FINAL CURE IN ACCORDANCE WITH
RULE 3002.1(h) and PLAN SECTION E5**

The Debtor, Anthony Wallace, through counsel Scott J Kofkin, moves for an order pursuant to Section E5 of the Debtor's confirmed Chapter 13 plan and Rule 3002.1(h) to reduce the mortgage arrears to be paid to NationStar Mortgage, LLC to the amount paid to date and in support thereof respectfully states as follows:

1. The Debtor's voluntary petition for relief in this case was filed on or about August 13, 2015; his full-repayment plan was confirmed on November 10, 2015.
2. Among the listed creditors is NationStar Mortgage, LLC, holder of a first priority mortgage on the Debtor's residence, a single-family home commonly known as 18034 Ravisloe Terrace, Country Club Hills, IL.
3. NationStar is represented in this case by attorneys from Codilis & Associates who have fully participated in the case both before and since confirmation of the plan.
4. The Debtor's confirmed plan incorporated in plan section E5(a) the mortgage arrears amount asserted by NationStar through their counsel of record.
5. The Debtor has maintained current monthly mortgage payments directly to NationStar pursuant to section C of the confirmed plan.
6. NationStar offered a mortgage modification to the debtor, and the parties have agreed to the modification of the mortgage, which, as of February 01, 2016, incorporates

all outstanding defaults into a new monthly mortgage payment slightly less than the previous monthly amount.

7. As a result of the modification, the Debtor no longer owes any amount from before the filing of the Chapter 13 petition, and further payments under Section E5(a) of the confirmed plan should be terminated, effective immediately or as soon as may reasonably be accomplished.

8. Upon the removal of the remaining mortgage arrears claim, the balance on the Chapter 13 will be approximately \$2,070.00, which will allow early completion of the plan with 100% payment on all allowed claims.

9. The Debtor has provided his counsel with a cashiers check payable to the standing trustee in the amount of \$2,070.00 which is believed to be sufficient to complete the plan upon the removal of the remaining mortgage arrears balance.

10. Upon plan completion, the mortgage pursuant to plan section B2(a) should be reinstated as modified, rather than under its original terms.

11. Nothing in this request should be construed as requiring the return of any amounts paid by the standing trustee prior to the effective date of this request.

WHEREFORE, the Debtor prays for an order reducing the remaining balance of plan Section E5(a) mortgage arrears to ZERO, determining that the prepetition default has been cured in accordance with Rule 3002.1(h), and granting such other and further relief as this Court deems just and proper.

Respectfully submitted,
/s/ Scott J Kofkin
Attorney for the Debtor

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